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Attorney's Docket 021123-0280248
Client Reference: 000091BT

FEB 01 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
STEPHAN BERENS ET AL.

Confirmation No: 3782

Application No.: 09/852,053

Group Art Unit: 1652

Filed: May 10, 2001

Examiner: Christian FRONDA

Title: CORYNEBACTERIUM GLUTAMICUM STRAIN WITH ENHANCED
SECRETION ACTIVITY

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8**

I hereby certify that the following papers, consisting of 8 pages
including this cover sheet, are being facsimile transmitted to the Patent and
Trademark Office at (703) 872-9306 on the date shown below:

Amendment/Response Transmittal
Amendment and Response Pursuant to 37 CFR 1.116

PILLSBURY WINTHROP LLP



THOMAS A. CAWLEY, JR., PH.D.
Reg. No. 40944

Date: February 1, 2005
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(Certification of Facsimile Transmission—page 1)30508383v1

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In re PATENT APPLICATION of:
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For: CORYNEBACTERIUM GLUTAMICUM STRAIN WITH ENHANCED SECRETION ACTIVITY

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Alexandria, VA 22313-1450

AMENDMENT/RESPONSE TRANSMITTAL

Transmitted herewith is an amendment/response for this application.

FEES

The fee for claims and extension of time (37 C.F.R. 1.16 and 1.17) has been calculated as shown below:

| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE | ADDIT. FEE |
|--|---|---------------------------------------|------------------|----------------|---------------|
| TOTAL | 25 | - 65 | = 0 | X \$ 50.00 | = \$ 0.00 |
| INDEP. | 4 | - 4 | = 0 | X \$ 200.00 | = \$ 0.00 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | + \$ 360.00 | = \$ 0.00 |
| TOTAL ADDITIONAL CLAIM FEE | | | | | \$ 0.00 |
| GRAND TOTAL | | | | | \$ 0.00 |

FEE PAYMENT

Authorization is hereby made to charge the amount of \$0.00 to Deposit Account No. 033975. Charge any additional fees required by this paper or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Date: February 1, 2005
PILLSBURY WINTHROP LLP
P.O. Box 10500
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THOMAS A. CAWLEY, JR., PH.D.
Reg. No. 40944

Reply Under 37 C.F.R. §1.116
Expedited Procedure
Group Art Unit 1652

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Berens *et al.*

Appln. No.: 09/852,053

Filed: May 10, 2001

Title: *Corynebacterium glutamicum* Strain with Enhanced Secretion Activity

Confirmation No.: 3782

Group Art Unit: 1652

Examiner: C. Fronda

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February 1, 2005

AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. §1.116

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Alexandria, VA 22313-1450

Sir:

This is in response to the official [final] action dated December 1, 2004, wherein the pending claims were rejected pursuant to 35 U.S.C. §112, first paragraph. The applicants respectfully traverse in view of the following amendments and remarks.